

Notice of Allowability

Application No.

09/920,232

Applicant(s)

HUANG ET AL.

Examiner

JEAN B. FLEURANTIN

Art Unit

2162

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 8/10/05.
2. ☒ The allowed claim(s) is/are 1-5, 8-11, 14-19, 21, 30-35 and 37-39.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).


* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date 8/10/05
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.


SHAHID ALAM
PRIMARY EXAMINER

DETAILED ACTION

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 10 August 2005 has been entered.

2. Claims 22-29 have canceled as indicated in section 4.

Claims 1-5, 8-11, 14-19, 21, 30-35 and 37-39 remain pending for examination.

Information Disclosure Statement

3. The information disclosure statements (IDS) filed on 08/10/05 comply with the provisions of MPEP 609. They have been placed in the application file. The information referred to therein has been considered as to its merits.

Examiner's Amendment

4. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. Becker, Jordan (Reg. No. 39,602) on April 14, 2005.

The application has been amended as follow:

In the claims,

Please cancel claims 22-29.

REASONS FOR ALLOWANCE

5. With respect to claims 1-5, 8-11, 14-19, 21, 30-35 and 37-39 are allowed over the prior art of record.

The following is an examiner's statement of reasons for allowance:

With respect to claims 1, 8 and 17 the claimed features "updating an action database indicating actions to be performed on the devices during a next update, creating an effective action database which accounts for any of the devices which were offline during a previous synchronization" in conjunction with other elements of the independent claims would not found anticipated or obvious over the prior art made of record. With respect to claims 14 and 30, the claimed features "maintaining, in persistent storage, data indicating actions to be performed on the devices and data indicating the actual states of the data on the devices; using a recovery algorithm to determine actual states of the data on the devices" in conjunction with other elements of the independent claims would not found anticipated or obvious over the prior art made of record. With respect to claims 21, 33 and 37, the claimed features "creating an effective action table for at least one of the devices based on the updated action table for the device and a previous version of the action table for the device, to account for any of the devices which were offline during a most-recent synchronization" in conjunction with other elements of the independent claims would not found anticipated or obvious over the prior art made of record.

The dependent claims, being definite, further limiting, and fully enabled by the specification are also allowed.

The closest prior art, Bauer et al., U.S. Patent Number 5,926,816 relates to database synchronizer. Brown et al., U.S. Patent Number 6,067,551 relates to a system and method version tracking. Bodnar et al., U.S. Patent Number 6,295,541 relates to a system implementing methods for maintaining synchronization of databases among one, two, or such devices. Guturu et al., U.S. Patent Number 6,581,075 relates to a system and method for database synchronization but fail to teach the above limitations.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled comments on Statement of Reasons for Allowance."

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CONTACT INFORMATION

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to JEAN B. FLEURANTIN whose telephone number is 571 – 272-4035. The examiner can normally be reached on 7:05 to 4:35.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, JOHN E BREENE can be reached on 571 – 272-4107. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.


Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Jean Bolte Fleurantin

Patent Examiner

Technology Center 2100

October 29, 2005


SHAHID ALAM
PRIMARY EXAMINER